IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.5989 OF 2005
IN
CRIMINAL APPEAL NO.1059 OF 2004

Mohammed Sagheer Md. Bashir Chauhan ...Applicant
Vs.
The State of Maharashtra ...Respondent

Mr.A.M.Memon for Appellant
Mrs. A.S.Pai, A.P.P. for State

CORAM: B.H.MARLAPALLE & ROSHAN DALVI, JJ.
DATED: 27TH FEBRUARY, 2006

P.C.

1. Heard Mr. Memon, the learned Counsel for the applicant/accused no.8 and Appellant in Criminal Appeal No.1059 of 2004. The said Appeal has been admitted by this Court and Criminal Application No.4979 of 2004 praying for being released on bail came to be rejected on 17th January 2005.

2. This fresh application has been filed on the ground, inter alia, that the Appeal is likely to take a long time to reach for final hearing and the Appellant has been in custody from May 1998 onwards i.e. about 8 years. It is contended by Mr. Memon that the Applicant's conviction is based on the deposition of a solitary witness who cannot be relied upon.

3. We have noticed that the paper book is not yet

ready so as to list Criminal Appeal No.1059 of 2004 for final hearing.

4. The learned Counsel undertakes that the private paper book duly certified will be filed within 4 weeks i.e. by 31st March 2006. In case the paper book is so submitted, list Criminal Appeal No.1059 of 2004 for final hearing in the week commencing from 10th April 2006.

. The application is disposed off in terms of the above order.

(ROSHAN DALVI, J.) (B.H.MARLAPALLE, J.)